

# COMMUNITY INVOLVEMENT PLAN

## JACKPILE – PAGUATE MINE New Mexico

March 2012



**U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 6**

THE U. S. ENVIRONMENTAL PROTECTION AGENCY'S (EPA)  
SUPERFUND COMMUNITY INVOLVEMENT PROGRAM IS COMMITTED  
TO PROMOTING COMMUNICATION BETWEEN CITIZENS AND THE AGENCY.

ACTIVE PUBLIC INVOLVEMENT IS CRUCIAL TO THE SUCCESS OF ANY PUBLIC PROJECT.

EPA'S COMMUNITY INVOLVEMENT ACTIVITIES AT THE

JACKPILE – PAGUATE MINE

NEW MEXICO

ARE DESIGNED TO

INFORM THE PUBLIC OF THE NATURE OF THE ENVIRONMENTAL ISSUES ASSOCIATED WITH  
THE SITE,

INVOLVE THE PUBLIC IN THE DECISION-MAKING PROCESS THAT WILL AFFECT THEM,

INVOLVE THE PUBLIC IN THE RESPONSES UNDER CONSIDERATION TO REMEDY THESE ISSUES,  
AND

INFORM THE PUBLIC OF THE PROGRESS BEING MADE TO IMPLEMENT THE REMEDY.

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## **Section 1.0**

### **Overview of the Community Involvement Plan**

The Environmental Protection Agency (EPA) developed this Community Involvement Plan to facilitate two-way communication between the communities in and surrounding the Jackpile-Paguate Mine Superfund Site and EPA and to encourage community involvement in site activities. EPA will utilize the community involvement activities outlined in this plan to ensure that residents are continuously informed and provided opportunities to be involved.

This Community Involvement Plan addresses the Jackpile-Paguate Mine's relationship to the community and EPA (Section 2.0), provides a background of the communities (Section 3.0), presents EPA's community involvement program (Section 4.0), and provides a listing of resources available (Appendices). EPA drew upon several information sources to develop this plan, including community interviews and site files. EPA's Regional Office will oversee the implementation of the community involvement activities outlined in this Plan.

## **Section 2.0**

### **Capsule Site Description**

#### **2.1 Site History**

Uranium is found world-wide, but New Mexico has the largest deposits, estimated to be 600 million pounds. Uranium rose as an industry in the west in the post-World War II atomic age. Energy produced by a pellet of uranium the size of a fingertip is equal to that produced by nearly a ton of coal. However, production withered to almost nothing in the mid-1980's after nuclear accident scares at Three Mile Island in Pennsylvania and Chernobyl in the former Soviet Union. At the time, this shook the public faith in nuclear power. But the surging price of uranium has lured companies to the desert uranium fields in New Mexico. Companies are asking for new permits. Prices rose from \$7 a pound in 2001 to over \$120 a pound now. The price increase, and the increasing demand for energy in developed and underdeveloped nations, coupled with worries that coal- and oil-fired power plants may contribute to global warming, has caused the new interest in uranium mining.

New Mexico has been a significant uranium producer since the discovery of uranium in 1950. Uranium in New Mexico is almost all in the so-called Grants mineral belt, along the southern margin of the San Juan Basin in McKinley and Cibola counties, in the northwest part of the state. Stretching northwest to southeast, the mineral belt contains the Chuska, Gallup, Ambrosia Lake, and Laguna uranium mining districts.

Several companies moved into the region in the 1950's, particularly oil companies. They included Anaconda Company, Phillips Petroleum Company, Rio de Oro Uranium Mines,

Inc., Kermac Nuclear Fuels Corporation, Homestake Mining Company, Sabre-Pinion Corporation, United Western Minerals Company, J.H. Whitney and Company, White, Weld and Company, San Jacinto Petroleum Corporation, Lisbon Uranium Corporation, and Superior Oil Company.

Active uranium mining stopped in New Mexico in 1998, although Rio Algom continued to recover uranium dissolved in water from its flooded underground mine workings at Ambrosia Lake until 2002. No uranium mining is taking place, even though New Mexico has the second-largest known uranium ore reserves in the United States.

General Atomics' subsidiary Rio Grande Resources is currently evaluating its Mt. Taylor mine for development. Strathmore Minerals Corporation is currently applying for permits to mine their Church Rock and Roca Honda properties in the Grants Mineral Belt. Neutron Energy and URI also plan to start uranium mining in the Grants Belt.

The State of New Mexico has been having committee hearings to discuss the legacy of past uranium mines in New Mexico. The legislative committee has heard from local, state, and federal officials about uranium mining in the State, and what many say are the deep and lasting contamination it has left behind in the water, air, and soil.

## **2.2 Site Description/Location**

There are three mining subdivisions located within the Grants Mining District -- Ambrosia Lake, Laguna, and Marquez. The Jackpile-Paguate Mine is in the Laguna subdivision and is on the Laguna Pueblo. Paguate is one of six villages on the Laguna Pueblo. It is at the mouth of Paguate Canyon on the northern slope of Mount Taylor. Just below the village, along Paguate Creek, Anaconda Corporation, a division of Atlantic Richfield Company, operated the Jackpile Mine from 1953-1982. This open pit mine has steadily worked its way up Paguate Canyon.

## **2.3 Site Inspections/Assessments**

The Department of the Interior proposed to approve a reclamation plan for the Jackpile-Paguate Mine in 1986. The reclamation proposals would restore, to varying degrees, the mine site to productive land use (primarily livestock grazing), reduce radiological and physical hazards, blend the visual characteristics of the mine site with the surrounding lands, and provide short-term employment for the Pueblo of Laguna. Reclamation would cause short-term adverse effects which would be mitigated to the extent possible.

Out of a total of 7,868 leased acres, 2,656 acres were disturbed by mining. This disturbance included three open pits, 32 waste dumps, 23 sub grade ore stockpiles, four topsoil stockpiles, and 66 acres of buildings and roads.

The two major issues identified were ensuring human health and reducing radioactive releases.

The Environmental Impact Statement, written in 1986, listed the major events and consultations and coordination activities that took place prior to and during the development of this Statement.

A Record of Decision (ROD) for the reclamation of the Jackpile-Paguate Mine was signed on December 5, 1986. This document recorded the decisions reached by the Bureau of Land Management and the Bureau of Indian Affairs for the level of reclamation required for the Jackpile-Paguate Mine.

Alternatives for reclaiming the Mine were analyzed in the Final Environmental Impact Statement prepared by the Bureau of Land Management and the Bureau of Indian Affairs, and were filed with the Environmental Protection Agency.

## **SECTION 3.0 COMMUNITY BACKGROUND**

### **3.1 Community Profile**

With a population of about 7,700, Laguna Pueblo is the largest Keresan-speaking pueblo. Historians believe the ancestors of the Laguna Pueblo have occupied the homelands since at least A.D. 1300.

The area around the villages produced evidence that Indians lived there as far back as 3000 B.C. When the Spanish arrived in the 1500's, they found an agrarian lifestyle and sophisticated system of self-governance.

The pueblo has six villages – Encinal, Laguna, Mesita, Paguate, Paraje, and Seama. Each community within the pueblo celebrates its own feast day and on September 19 all the villages celebrate the Feast of St. Joseph.

Laguna Industries, Inc., a construction company owned by the Pueblo of Laguna, was one of the largest U.S. contractors in Iraq, with reconstruction contracts worth more than \$300 million. In addition to its headquarters at the Pueblo, Laguna Industries maintains offices in Albuquerque, San Antonio (Texas), Houston (Texas), Baghdad (Iraq), and Amman (Jordan).

The reservation, at 35°02'15"N 107°15'03"W, lies in parts of four counties: Cibola, Sandoval, Valencia, and Bernalillo.

### **3.2 History of Community Involvement**

The history of community involvement is closely connected to/with the Environmental Impact Statement discussed above in §2.3 above.

February 25, 1977 Anaconda submitted a mining and reclamation plan for all remaining mining operations. The U.S. Geological Survey, Conservation Division, prepared a draft environmental assessment; however, because of

changes in the mining plan and additional environmental concerns cited by the USGS, no action was taken on the plan.

March 29, 1979 Anaconda submitted a revised mining and reclamation plan which projected mining until 1985.

September 11, 1980 Anaconda filed with USGS a three volume reclamation plan for the Jackpile-Paguate uranium mine. In the plan, Anaconda stated that it would discontinue production from two existing underground mines.

December 2, 1980 The Chief of the USGS, Conservation Division, with concurrence by the Assistant Director for Resource Programs, determined that approval of the proposed reclamation plan would constitute a major Federal action, and therefore, that an Environmental Impact Statement would be required.

February 19, 1981 A “Notice of Intent” to prepare an Environmental Impact Statement and to hold public scoping meetings on the reclamation of the Jackpile-Paguate uranium mine was published in the Federal Register (Vol. 44, No. 33, page 13045). This notice announced the availability of a proposed scoping document for the Environmental Impact Statement. This scoping document summarized Anaconda’s reclamation plan, anticipated issues and concerns, proposed alternatives, and identified responsible personnel. The dates and locations of public meetings were also cited.

March 16, 1981 A public meeting was held in the Laguna Tribal Council Building, Laguna, New Mexico. Seventy people attended, including Laguna Councilmen, Anaconda representatives, and local residents. Nineteen people made oral presentations. A scoping document containing preliminary issues, as identified by the Department of Interior, was distributed to those in attendance. Department of Interior representatives briefly discussed the following possible issues:

- Release of radon gas into the atmosphere.
- Radiological decontamination of existing buildings.
- Radiological contamination of Paguate Reservoir and the Rios Paguate and Moquino.
- Radiological contamination of ground water
- Radiological contamination of the human food chain.
- Loss of uranium resources.
- Abandonment of underground openings.
- High wall stabilization.
- Waste dump stabilization.
- Recontouring the mine site to prevent erosion.
- Siltation of Paguate Reservoir.
- Construction of a productive soil profile.

- Selection of productive revegetation species.
- Contamination of surface wasters.
- Future land use.
- Aesthetic impacts of land form modification.
- Reclamation costs.
- Pueblo of Laguna employment during reclamation.
- Reclamation standards.
- Long-term monitoring.

The Governor of the Pueblo of Laguna outlined five main concerns of the Pueblo: (1) air and water quality and socioeconomic impacts; (2) preservation of, and access to religious and cultural sites; (3) safety; (4) monitoring; and (5) unrecovered uranium reserves. Other comments were made with regard to the following: the Environmental Impact Statement process and procedures, health effects (mining and post-reclamation), timetable to complete reclamation, level of backfill in each of the pits, radionuclide uptake into plant species, ore spillage at Quirk loading dock and along the rail spur, renovation of homes in the village of Pagate and realignment of State Highway 279.

March 18, 1981 A public meeting was held at the Classic Hotel, Albuquerque, New Mexico. Sixty-seven people attended, including representatives from the Pueblo of Laguna and Anaconda Minerals Company. Seven people made oral presentations and six written comments were submitted. The Department of the Interior representatives briefly summarized the same twenty (20) issues presented at the meeting held on March 16, 1981. Most of the comments received pertained to these issues. Other comments included a recommendation that the Environmental Impact Statement adopt the Nuclear Regulatory Commission/Environmental Protection Agency regulations and standards for radiological clean-up at uranium mill sites. Two commentators questioned the Department of Interior's authority and need to prepare an Environmental Impact Statement.

March 21, 1981 The Department of Interior representatives met with the Laguna Tribal Council to explain the Environmental Impact Statement process and solicit comments on major issues and concerns. Council members suggested that the Environmental Impact Statement address the following: wildlife, farming, tourism, employment, water flow, and supply at the housing area, revegetation of native species suitable for livestock grazing, birth defects, cancer rates, drug abuse, alcoholism, sedimentation of Pagate Reservoir, placement of rock piles on reclaimed dumps, contamination of adjacent lands, renovation of homes in the Village of Pagate, timetable for reclamation, preservation of religious sites, realignment of the Rio Pagate, water quality, use of contaminated materials for home construction, compensation for the people psychologically damaged by the mining operation, plugging abandoned drill holes, reclamation of exploration roads on Black Mesa, and radiological contamination of crops grown and livestock raised on reclaimed areas.



August 20, 1981 Anaconda withdrew the proposed reclamation plan submitted to the U.S. Geological Survey on September 11, 1980 because of plans to reroute State Highway 279 through the mine.

September 17, 1981 The Department of the Interior, the Pueblo of Laguna, and Anaconda met to discuss the rerouting of State Highway 279 through the mine site, and the recent withdrawal of Anaconda's proposed reclamation plan.

March 16, 1982 Anaconda filed with the U.S. Geological Survey a revised three-volume reclamation plan for the Jackpile-Paguate uranium mine. This plan is one of several alternatives currently being evaluated in this Environmental Impact Statement.

June 22, 1982 The Department of the Interior, the Pueblo of Laguna, and Anaconda agreed to form a technical committee to help define and resolve the differences between the Pueblo and Anaconda over reclamation of the Jackpile-Paguate mine site. The committee was comprised of representatives from the Department of the Interior, the Pueblo of Laguna, and Anaconda. The committee met on several occasions and was able to resolve several issues. Those issues resolved included: removal of all rock piles from the waste dumps; planting up to 1000 tree seedlings; and agreement on the types of revegetation species to be used in the reclamation program. Issues not resolved included: the length of post-reclamation monitoring; configuration of waste dump slopes; stabilization of the North and South Paguate high walls; disposition of the railroad spur; disposition of the buildings and equipment; damage to Paguate housing; sedimentation of Paguate Reservoir; the depth of topsoil cover; stabilization of arroyo headcuts; post-reclamation grazing management; disposition of protore stock piles; and the level of pit backfill. The last technical committee meeting was held November 10, 1982.

April 16, 1984 The Bureau of Land Management began to resurvey the mine site to accurately determine existing topography. Aerial photography and computerized techniques (digitizing) would then be used to calculate material volume requirements for reclamation.

May 18, 1984 Department of the Interior officials met with the New Mexico State Environment Improvement Division to present them with the status of the Jackpile-Paguate mine reclamation project and to solicit comments. The New Mexico Environmental Improvement Division asked questions regarding reclamation impacts on air and water quality.

August 21, 1984 Department of the Interior representatives met with the Pueblo of Laguna Tribal Council to provide an update on the Environmental Impact Statement and various studies including the U.S. Geological Survey, Water Resource Division, hydrologic evaluation, radiological assessments and the

photogrammetric/digitizing effort.

August 27, 1984 The U.S. Geological Survey, Water Resource Division, completed a short-term evaluation of the Dames and Moore ground water model. The Water Resource Division established that this model contained no inconsistencies of a mathematical or programming nature which significantly affected its results. However, the Water Resource Division's analysis revealed that the water levels computed by the Dames and Moore model were sensitive to the assumed input parameters.

October 1, 1984 Department of the Interior, Pueblo of Laguna, and Anaconda representatives met with the Assistant Secretary for Land and Minerals Management to discuss (1) Anaconda's cash settlement offer to the Pueblo of Laguna, and (2) the recent U.S. Geological Survey, Water Resource Division, evaluation of the Dames and Moore ground water model. In regard to the cash settlement offer, the Assistant Secretary informed all parties that the Department of the Interior would not be in a position to advise the Pueblo of Laguna on the suitability of the offer until the Environmental Impact Statement is completed. In regard to the ground water recovery issue, the Assistant Secretary stated that the evaluation conducted by the U.S. Geological Survey, Water Resource Division, placed the Bureau of Land Management in a position to adopt the Dames and Moore findings subject to a long-term monitoring program.

October 13, 1984 The Bureau of Land Management, through its photogrammetric and digitizing efforts, completed volumetric calculations for pit backfill levels, waste dumps and slope configurations. This information would be used for engineering design and reclamation cost estimates for the reclamation proposals being evaluated in the Environmental Impact Statement.

March 5, 1985 The Environmental Impact Statement was filed with the Environmental Protection Agency.

March 6, 1985 A news release was issued announcing availability of the Environmental Impact Statement and information regarding public hearings. Approximately 650 copies of the Environmental Impact Statement were mailed to Federal, State, and local agencies, and various groups and individuals for their comments. The public comment period was from March 6, 1985 to June 6, 1985.

April 19, 1985 An extension of the public comment period to October 4, 1985 was announced in the Federal Register, Volume 50, No. 76. The comment period was extended at the request of Anaconda Minerals Company and the Pueblo of Laguna. The public was notified of this change by a news release and by written notice sent to each recipient of the Environmental Impact Statement.

July 31, 1985 A notice was published in the Federal Register, Volume 50, No. 147 announcing that the public hearings were rescheduled for September 10-

11, 1985. This rescheduling was necessary because of the extended public comment period. The public was notified of these new hearing dates by a news release and by written notice sent to each recipient of the Environmental Impact Statement.

August 19, 1985 Anaconda Minerals Company submitted a preliminary version of a new reclamation plan entitled the “1985 Multiple Land Use Reclamation Plan for the Jackpile-Paguate Uranium Mine, Cibola County, New Mexico.” Anaconda stated that this new plan rendered the 1982 “Green Book” plan obsolete and withdrew the “Green Book” from further consideration in the Environment Impact Statement process.

September 10, 1985 A public hearing was held at the Albuquerque Convention Center, Albuquerque, New Mexico. Approximately 150 people attended, including representatives from the Pueblo of Laguna, Anaconda Minerals Company, and interested members of the public. The majority of comments were directed at radiological issues, volumetric estimates and associated costs, blast damage to the homes in the Paguate Village, legal issues, reclamation parameters, mitigation measures, and Anaconda’s 1985 Multiple Land Use Reclamation Plan.

September 11, 1985 A public hearing was held in the Laguna Tribal Council Building, Laguna, New Mexico. Approximately 180 people attended, including representatives from the Pueblo of Laguna, Anaconda Minerals Company, and interested members of the public. The majority of comments were directed at radiological issues, blast damage to the homes in Paguate Village, and Anaconda’s 1985 Multiple Use Reclamation Plan.

October 4, 1985 The public comment period officially closed. Anaconda submitted the final version of the new 1985 Multiple Land Use Reclamation Plan.

April 4, 1986 The Department of the Interior ordered Anaconda to fence the mine site, provide for 24 hour security and to post warning signs around the periphery of the mine area. The Department of the Interior took this action under the authority of the lease terms and operating regulations.

March 17, 2009 Invitation letter sent to Laguna Pueblo Governor Antonio, regarding Grants Mining District Partnership Meeting to be held on April 7, 2009.

April 7, 2009 Meeting was held with federal, state, and tribal entities in Albuquerque to develop holistic approach for the Grants Mineral Belt and the Five Year Plan.

September 8, 2009 Letter sent to Laguna Pueblo Governor Antonio confirming meeting date for September 24, 2009.

September 24, 2009 EPA Superfund meeting with Pueblo of Laguna to discuss

concerns, potential NPL listing, and consultation.

October 1-14, 2009 EPA conducts flyover to measure uranium ground concentrations

October 13, 2009 EPA Superfund began formal consultation with the Pueblo of Laguna.

January 2010 EPA and Laguna begin drafting Memorandum of Understanding (MOU) for Superfund's assessment and removal activities

February 16, 2010 EPA discusses flyover results with the Governor of Laguna

February 17-18, 2010 EPA and Pueblo of Laguna perform site reconnaissance of Jackpile-Paguete Mine for site assessment sampling.

March 1, 2010 EPA collected samples at the Jackpile Mine

March 9, 2010 EPA met with the Governor of Laguna and radiation experts to answer questions about flyover results

March 29, 2010 EPA sent letter to Stephen Spencer at DOI documenting meeting regarding the Jackpile Mine site and possible listing on the NPL.

April 22, 2010 EPA held meeting with Laguna in the morning to discuss the Grants Mining District Five Year Plan and held a meeting in the evening with SNEEJ, MASE and BVDA to discuss the same information

April, 2010 Evaluated the Jackpile Mine sampling results.

June 9, 2010 EPA staff held meeting with the Pueblo of Laguna Environmental staff to discuss the draft Preliminary Assessment (PA) report for Jackpile Mine.

June, 2010 Develop Hazard Ranking Score for the NPL if the Jackpile Mine meets the criteria of 28.5 for inclusion on the NPL

June 22, 2010 Tribal Consultation process MOU signed by the Laguna Pueblo officials

July 1, 2010 ATSDR Road Show about uranium for Health Care Providers

July 16, 2010 Conference call with Laguna Environmental personnel to discuss concerns about listing the Site on NPL and conducting additional

investigation

August, 2010 Grants Mining District Five-Year Plan released to the public.

September 9, 2010 Meeting with DOI agencies to discuss their involvement in developing the ESI work plan for Jackpile

October 7 & 21, 2010 Conference calls with DOI agencies regarding Jackpile

November 3 & 18, 2010 Conference calls with DOI agencies regarding Jackpile

November 8, 2010 Conference call with Laguna Governor Antonio to discuss additional sampling needed from Jackpile, and involving DOI in the development of Extended Site Inspection (ESI) work plan

November 9-10, 2010 Site Assessment and Enforcement conduct file review of documents at Laguna Pueblo

December 7, 2010 EPA and Contractor met with Laguna Environmental staff and Jackpile Reclamation Manager to discuss additional sampling needed from Jackpile.

December 8, 2010 Met with DOI for update.

December 15, 2010 Briefing concerning Jackpile status at EPA

December 20, 2010 Conference calls with DOI agencies. Sue, with the NM Solicitors Office, states that they had a meeting with the Laguna Pueblo and the Pueblo has hired a company to complete the Record of Decision (ROD) requirements, installed a network of groundwater wells, fencing and address the gaps in the ROD. 1.2 million was left in the trust account and they were going to close out the old 638 agreement and start a new agreement with the funds to dove tail along with the EPA work.

December 21, 2010 Conference call with Marvin Sarracino and Adam to discuss the gaps in the ROD. Pueblo said that they had a contractor that was addressing the gaps and they would provide us a deficiency checklist, 2007-2010 groundwater data, maps of well locations including the 2 new wells, analysis of ponded water and the final report from the contractor in 3 to 4 months.

January 6, 2011 Conference calls with DOI agencies regarding Jackpile. Tentative date for next ESI work group set for February 15/16. The ground water conceptual model will be forwarded to the group when we receive it from Weston.

January 27, 2011 Conference calls with DOI agencies regarding Jackpile. Meeting scheduled for February 16, 2011, at the Laguna Environmental Department with the workgroup. The ground water conceptual site model will be forwarded to everyone prior to the meeting for review. Projected ESI sampling date is the week of March 28. Next conference call scheduled for February 7 at 10:00 am.

February 3, 2011 Went to a British Petroleum (BP) office location in Plano, TX, with enforcement officer and the On Scene Coordinator (OSC) Jon Rinehart, to review maps of Jackpile Mine site.

February 7, 2011 Conference call with DOI agencies. Discussed meeting on February 16, at Laguna; coordinating driving/carpooling.

February 14, 2011 E-mailed the draft conceptual site model (CSM) to the technical working group for review before the meeting on the 16<sup>th</sup>.

February 16, 2011 Meeting with the technical workgroup at the Laguna Environmental Department. Tour of the Jackpile Mine site was given by Marvin Sarracino. Ben Castellana, with Weston, gave a power point presentation of the conceptual site model. Requested comments from the workgroup on the model. ESI work plan will be developed and e-mailed out to the workgroup prior to ESI sampling tentatively scheduled for the week of March 28, 2011.

March 23, 2011 E-mailed the technical workgroup to remind them to comment on the conceptual site model and stated that the draft ESI sampling plan would be forwarded soon for review/comment.

March 25, 2011 ESI sampling event rescheduled for the week of April 18, to allow for additional time to discuss comments made to the ESI sampling plan.

March 29, 2011 Conference call with technical workgroup to discuss the concerns about the ESI sampling plan and make needed changes.

March 30-31, 2011 EPA Site Assessment team met with Marvin Sarracino and Curtis Francisco to start assessments on three mine sites located on the south side of Laguna Pueblo that were not part of the Jackpile Mine.

April 6, 2011 Conference call with Jackpile technical workgroup to discuss the ESI sampling plan.

April 12, 2011 Emailed the revised ESI sampling plan to the technical workgroup with all the agreed upon changes/additions.

April 18, 2011 ESI sampling event at Jackpile Mine took place with EPA, Weston contractors, Laguna Environmental and Laguna Mine Reclamation

Technician.

May 11, 2011 Meeting with Governor Luarkie, Adam Ringa and Jim Hooper to give the new governor an update on the Jackpile Mine site activities and Removal activities. EPA attendees were Wren Stenger, LaDonna Turner, Stephen Harper and Warren Zehner.

July 5, 2011 Called Jim Hooper and left a message about Jackpile and Removal update scheduled at a council meeting. Several e-mails back and forth with tentative dates.

August 3, 2011 E-mailed the revised conceptual site model (with ESI results incorporated) to the Jackpile technical work group (Laguna, DOI, USGS, BLM, USGS, BIA, DOI contractor, Laguna contractor, EPA NPL coordinator).

August 3, 2011 E-mailed Stephen Spencer with DOI to request a meeting to discuss the next steps for the Jackpile Mine site. Meeting is scheduled for September 9, at the BIA Office in Albuquerque.

August 6, 2011 Formal presentation given to Governor Luarkie, staff, and the Tribal Council at council meeting. Site Assessment and Removal Program gave presentation about past and current activities. Amy Garcia, Laguna Environmental office, was also present at this meeting. Requested that the new Governor and Council provide a letter or resolution supporting the listing on Jackpile Mine to the NPL by December 1, 2011.

August 10, 2011 E-mailed the draft ESI report to the Jackpile technical work group for review and comment.

August 31, 2011 Received preliminary comments from Rick Newell, DOI contractor regarding the draft ESI and CSM.

September 1, 2011 Conference call with participants of the Jackpile technical workgroup regarding the draft ESI and revised CSM. Agencies on the call included DOI, BIA, BLM, EPA, NM Solicitors Office, Laguna Natural Resources, and EPA Weston Contractor. Deadline for comments September 16, 2011. Discussed comments received from the DOI contractor, Rick Newell.

September 9, 2011 Meeting with DOI in Albuquerque. EPA Site Assessment and Removal Staff and EPA attorney met with DOI, BLM, BIA, USGS and the NM Solicitors Office to discuss the possible NPL listing of the Jackpile Mine site to the next NPL update in March 2012.

September 15, 2011 Received comments about the CMS and ESI from Marvin Sarracino from Laguna Reclamation.

September 16, 2011 Received comments about the CSM and ESI from DOI/USGS.

September 20, 2011 Conference call with Weston Contractors and NPL Coordinator to discuss comments received and updating the HRS package with the ESI data.

September 22, 2011 Mailed letter to DOI as a follow-up to the Sept. 9<sup>th</sup> meeting. Requested a letter of support from DOI for the NPL listing of Jackpile Mine.

October 11, 2011 Contacted Adam Ringia to coordinate Jackpile Tour and Gov. Luarkie meeting with Mathy on October 25.

October 25, 2011 Site Assessment and EPA HQ with Mathy met Gov. Luarkie for breakfast. Gave a site tour of Jackpile Mine to Mathy and other EPA HQs staff. Laguna Environmental assisted in the tour.

December 2, 2011 Received letter from now Pueblo Gov. Luarkie, support previous Gov. Antonio's MOU, and resolution to have the Jackpile Mine site added to the NPL.

December 6, 2011 Received letter from Stephen Spencer with DOI stating that they have no position regarding the proposed listing of the Jackpile Mine to the NPL.

March 15, 2012 The EPA published a rule in the Federal Register proposing to add the Jackpile-Paguate Mine Site to the National Priorities List (NPL).

### **3.3 Key Community Concerns**

The community believes that people are becoming ill with cancer because of groundwater contamination.

Pending permits for future uranium mining.

Interested parties need to be part of the decision making.

### **3.4 Response to Community Concerns**

The EPA and the State of New Mexico are working with Laguna Pueblo, and the impacted communities to develop a plan to address the concerns of the pueblo and the Jackpile Mine and mining legacy issues.



### **3.5 Summary of Communication Needs**

The major concern is about the incidence of disease within the human population and the livestock population because of the contaminated water sources.

Tribal confidentiality is a concern insofar as government to government consultation is important. The Memorandum of Understanding between the Pueblo of Laguna and EPA is being completed.

Some citizens of the area are concerned with the economic problems in the area as a result of the curtailment of mining activities. However, these citizens are very sympathetic with other residents because of the groundwater contamination and the possibility of radon gas concentrations in residences.

The sheer size of the mine area makes the work more difficult, as does the rural nature of many of the homes. There is the complexity of working on Tribal lands. The Jackpile-Paguage Mine is being proposed for inclusion on the National Priorities List, as noted in §3.2 above.

## **Section 4.0 EPA'S Community Involvement Program**

The overall goal of EPA's community involvement program is to promote two-way communication between citizens and the EPA and to provide opportunities for meaningful and active involvement by the community in the Superfund process. EPA will implement the community involvement activities described below. The following plan is based on the results of the community interviews described earlier; it addresses each issue that was identified as being important to the community.

### **4.1 The Plan**

The communities on the Laguna Pueblo will be kept informed of all activities relevant to the public health and the environment by means of an updated mailing list. Local media, fact sheets, and community meetings will be used to keep the community informed.

#### **Issue 1: Keeping the public informed and up to date**

##### **Activity 1A: Designate an EPA Community Involvement Coordinator (CIC)**

- Objective: To provide a primary liaison between the community and the EPA, and to ensure prompt, accurate, and consistent responses and information dissemination about the site. In those instances where EPA's Community Involvement Coordinator may be unable to provide adequate information (such as technical issues), inquiries will be directed to the appropriate EPA contact.
- Method: EPA will designate a CIC to handle site inquiries and serve as a point

of contact for community members. The CIC is appointed by the Region 6 Headquarters. Stephen Harper is the CIC assigned by EPA for the Site.

- Timing: The CIC was designated in February 2010.

#### **Activity 1B: Prepare and distribute site fact sheets and technical summaries**

- Objective: To provide citizens with current, accurate, easy-to-read, easy-to-understand information about the Jackpile-Paguate Mine.
- Method: Fact sheets will be mailed to all parties on the site mailing list. In addition, copies will be available at the information repositories.
- Timing: EPA will prepare and distribute fact sheets as needed.

#### **Activity 1C: Involve students, parents, teachers through area schools**

- Objective: To educate faculty, students, and their parents about the Site, to invite and address their concerns regarding the Site, and to caution students about the Site.
- Method: Address school faculty and students through visits and presentations to classroom, faculty, school assembly, or other meetings or events. Additionally, communicate with parents via take-home materials provided to the students and/or by attending and participating in PTA meetings or events.
- Timing: As community concern warrants until the Site is closed.

#### **Activity 1D: Meet with local community groups**

- Objective: To provide community leaders multiple opportunities to get involved in collaboration.
- Method: Contact the community leaders and keep them informed of what is happening at the site.
- Timing: On-going.

#### **Issue 2: Staying current**

##### **Activity 2A: Provide a toll-free 800 number for the community to contact EPA**

- Objective: To enable citizens to get the latest information available when they want it rather than having to wait for a meeting or a fact sheet, and without incurring any cost.

- Method: EPA has activated the 800 number and will publish it periodically in the local papers and in all fact sheets.
- Timing: The line is currently operational at 1.800.533.3508.

**Activity 2B: Maintain a mailing list for the Site**

- Objective: To facilitate the distribution of site-specific information to everyone who wants to be kept informed about the Site.
- Method: EPA will create a mailing list that includes all residences of all the villages on the Laguna Pueblo, in known or suspected paths of migration, or those otherwise affected by the Site. EPA will also solicit interested parties via fact sheets, newspaper articles, public meetings, etc.
- Timing: EPA began working in February 2010 for inclusion on the National Priorities List. Once a mailing is compiled, it will be reviewed/revised periodically to keep it current.

**Activity 2C: Establish and maintain Information Repositories**

- Objective: To provide a convenient location where residents can go to read and copy official documents and other pertinent information about the Site and EPA activities.
- Method: The repository is a reference collection of site information containing the Administrative Record file, other site-specific information, the Community Involvement Plan, information about the Technical Assistance Grant program, and the general Superfund process. The Community Involvement Coordinator will work with a local contact to establish the local repository. This repository will be accessible to the physically challenged, will have copier facilities, and will be available to residents during normal business hours and at least some evening and/or weekend hours.
- Timing: EPA has established two local repositories at the Environmental and Natural Resources Department, Pueblo of Laguna, P.O. Box 194, Laguna, New Mexico, 87026; and, the New Mexico State University, 1500 Third St, Grants, New Mexico, 87020.

**Activity 2D: Provide Site and Superfund Information on the internet**

- Objective: To provide key resources for searching and listing both general and specific information about Superfund and hazardous waste issues.
- Method: A Site Status Summary for this site can be found at <http://www.epa.gov/earth1r6/6sf/6sfnm.html>. Information about EPA and Superfund can be found at:

1. EPA Headquarters: <http://www.epa.gov>
2. EPA Region 6: <http://www.epa.gov/earth1r6>
3. EPA Region 6 Superfund Division: <http://www.epa.gov/earth1r6/6sf/html>

- Timing: Site Status Summaries are updated on a monthly basis.

### **Issue 3: Technical Assistance**

#### **Activity 3A: Provide Technical Assistance Grant (TAG) information (if the site is added to the National Priorities List)**

- Objective: To provide resources for community groups to hire technical advisors who can assist them in interpreting technical information about the Site.
- Method: EPA will provide information about the TAG program at public meetings and in site fact sheets. EPA will also provide briefing sessions to interested groups if so requested. EPA will provide TAG applications to qualified groups, and will provide assistance to the group in completing the application.
- Timing: EPA will continue to promote TAGs until one is awarded.

#### **Activity 3B: Establish and maintain the Administrative Record**

- Objective: To provide residents with a paper trail of all documents, resources, etc. used by the Regional Project Manager and Site Team in reaching all decisions about the Site and its cleanup.
- Method: EPA will provide at least two sets of the Administrative Record for the Site: one in the EPA Region 6 offices located at 1445 Ross Avenue, Dallas, Texas, and one located in the local information repository near the Site.
- Timing: The Administrative Record is opened as soon as site investigation begins and remains opened.

#### **Activity 3C: Conduct special events**

- Objective: To educate citizens, add a sense of closure, highlight a major event or milestone, recognize significant citizen or PRP activity, etc.
- Method: Examples include: special topic educational campaign, construction completion party, onsite demolitions, transition to the next phase, etc.
- Timing: As appropriate.

### **Activity 3D: Hold public meetings**

- Objective: To update the community on site developments and address community questions, concerns, ideas, and comments.
- Method: The EPA will schedule, prepare for, and attend all announced meetings. EPA will provide at least two weeks' notice of the scheduled meeting. The Regional Project Manager, Community Involvement Coordinator, and other appropriate EPA staff will attend.
- Timing: The EPA will hold public meetings as appropriate.

### **Issue 4: Community Involvement**

#### **Activity 4A: Encourage formation of a Community Advisory Group (CAG)**

- Objective: To provide citizens with a meaningful way to become actively involved, and to provide the Site Team with a viable means of learning citizen concerns and attitudes.
- Method: EPA will encourage the formation of a CAG and provide support as appropriate to facilitate its formation. If formed, EPA will provide administrative support but will not be an active member.
- Timing: EPA will respond to any requests for help to form a CAG. As necessary, EPA will promote CAGs regularly throughout the Superfund process until one is formed.

#### **Activity 4B: Make informal visits to the community**

- Objective: To help keep community members informed about the Site, while providing EPA with feedback about site activities and the community's opinion.
- Method: EPA will establish a presence in the community through informal, often unscheduled visits to talk spontaneously with local residents.
- Timing: Throughout the entire Superfund process.

#### **Activity 4C: Solicit comments during a Public Comment Period**

- Objective: To give community members an opportunity to review and comment on various EPA documents. This provides the citizens with meaningful involvement in the process and also provides the Site Team with valuable information for use in making decisions.

- **Method:** EPA will announce each comment period separately. Announcements will be published in the Tribal newspaper and EPA fact sheets. These will include particulars about duration, how to make comments, where to submit comments, etc. EPA may solicit comments on the following information/draft documents: draft Community Involvement Plan, draft summary of test results (not individual tests) and initial interpretation, preliminary finds about the Remedial Investigation and a list of possible remedies likely to be considered, preliminary findings of the Feasibility Study and a brief summary of the leading contender for the proposed remedy, and preliminary plans for implementation and construction.
- **Timing:** Comment periods will be announced as appropriate. A comment period is required in conjunction with the announcement of the Proposed Plan and will last a minimum of 30 days.

#### **Activity 4D: Prepare and issue a Responsive Summary**

- **Objective:** To summarize comments received during comment periods, to document how the EPA has considered those comments during the decision-making process, and to provide responses to major comments.
- **Method:** EPA will prepare a Responsive Summary as a section of the Record of Decision. The Responsive Summary will include four sections: (1) Overview (2) Background about Community Involvement (3) Summary of comments received and Agency responses (4) Remedial Design/Remedial Action concerns. All information, both technical and nontechnical, will be conveyed in a manner that is easily understood.
- **Timing:** EPA will issue the Responsive Summary as part of the Record of Decision.

#### **Activity 4E: Revise the Community Involvement Plan**

- **Objective:** To identify and address community needs, issues, or concerns regarding the Site or the cleanup remedy that are not currently addressed in this Community Involvement Plan.
- **Method:** The revised Community Involvement Plan will update the information presented in the previous version of the Community Involvement Plan.
- **Timing:** EPA developed the Community Involvement Plan in February 2010. EPA will continue to revise the Community Involvement Plan as community concerns warrant or at least every three years until the Site is closed.

#### **Activity 4F: Provide Technical Assistance Services for Communities (TASC)**

- **Objective:** A headquarters contracting mechanism that provides a resource for independent, non-advocacy educational and technical assistance to a community affected by hazardous waste sites regulated by CERCLA and RCRA. This contract service is provided to communities so they can more effectively participate in the hazardous waste cleanup process in a more expedited manner.
- **Method:** EPA will provide information about the TASC program at public meetings and in site fact sheets as applicable. EPA will also provide briefing sessions to interested groups if so requested. EPA will provide information on TASC contract information to qualified groups, and will provide assistance to the applicant group in completing the Statement of Work for the contract application.
- **Timing:** As needed.

#### **4.2 Time Frame Summary for Community Involvement Plan**

<b>ACTIVITY</b>	<b>TIME FRAME</b>
<b>Designate an EPA Community Involvement Coordinator (CIC)</b>	<b>Completed</b>
<b>Prepare and distribute site fact sheets and technical summaries</b>	<b>As needed, at least two yearly</b>
<b>Involve students, parents, teachers through area schools</b>	<b>As needed, at least annually</b>
<b>Provide a toll-free "800 number" for the community to contact EPA</b>	<b>Currently in operation</b>
<b>Maintain a mailing list for the Site</b>	<b>On-going</b>
<b>Establish and maintain Information Repositories</b>	<b>Established, update as needed</b>
<b>Provide Site and Superfund information on the Internet</b>	<b>Currently available; update as needed</b>
<b>Provide Technical Assistance Grant (TAG) information</b>	<b>If site is added to the NPL</b>
<b>Establish and maintain the Administrative Record</b>	<b>Established, update as needed</b>
<b>Conduct special events</b>	<b>As needed</b>
<b>Hold community/public meetings</b>	<b>As needed</b>

<b>Encourage formation of a Community Advisory Group (CAG)</b>	<b>On-going</b>
<b>Make informal visits to community</b>	<b>On-going</b>
<b>Solicit comments during a Public Comment Period</b>	<b>If site is added to the NPL</b>
<b>Prepare and issue a Responsiveness Summary</b>	<b>Following public comment periods</b>
<b>Revise the Community Involvement Plan (CIP)</b>	<b>As needed, at least every 3 years</b>
<b>Technical Services to the Community</b>	<b>As needed</b>



## **APPENDIX A**

### **EPA Regional Contacts**

#### **EPA Staff Address:**

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Affairs  
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Israel Anderson  
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Environmental Justice, OEJTA  
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## **APPENDIX B Tribal Officials**

### **Pueblo of Laguna**

Richard B. Luarkie, Governor (Staff Officer Paraje)  
P.O. Box 194  
Laguna NM 87026  
505.552.6654

1 <sup>st</sup> Lt. Governor	Harry Antonio, Jr.	(Staff Officer Laguna)
2 <sup>nd</sup> Lt. Governor	Charles Poncho	(Staff Officer Mesita)
Head Fiscale	Keith V. Day	(Staff Officer Seama)
First Fiscale	Larson Romero	(Staff Officer Paguete)
Second Fiscale	Darwin L. Deloris	(Staff Officer Encinal)
Tribal Secretary	Michael A. Silva	
Tribal Treasurer	David A. Martinez	
Tribal Interpreter	Gaylord Siow	

Adam Ringia, Director of Environmental & Natural Resource Department  
505.552.7512  
[aringa@lagunatribe.org](mailto:aringa@lagunatribe.org)

Barbara Cywinska-Bernacik, Environmental Manager  
505.552.7534  
[bbernacik@lagunatribe.org](mailto:bbernacik@lagunatribe.org)

Curtis Francisco, Water Quality Specialist  
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Marvin Sarracino, Reclamation Technician II  
[msarracino@lagunatribe.org](mailto:msarracino@lagunatribe.org)

## APPENDIX C LAGUNA VILLAGE LEADERS

### Laguna

#### Council Representatives

Virgil Siow  
Norbert Wacondo

#### Village Mayordomos

Evan Riley  
Ruben Cheromiah  
Derek Koyona  
Jeffery Antonio

#### Village Towncriers

Adam Scott  
Aaron J. Riley  
Jason Riley  
Myron Abeita

#### Village Treasurer

Joe Riley, Jr.

#### Village Trustee

Neal Kie, Sr.

### Seama

#### Council Representatives

Robert Analla III  
Ryan Riley

#### Village Mayordomos

Edward Carrillo  
Harvey Thomas, Sr.  
Bennett Lewis  
Walter Beardsley

#### Village Towncriers

Stuart Romero  
Cody Carrillo  
Paul Thomas

#### Village Treasurer

Yamie Leeds

#### Village Trustees

Beth Deutsawe  
Terri L. Sarracino

### Paraje

#### Council Representatives

Pat Pruitt  
Josephine Cochran

#### Village Mayordomos

Russell Martin  
Robert Graham  
David Bautista

#### Village Towncriers

Harold Kayate  
Bradley Silva

#### Village Treasurer

Christine Lowery

#### Village Trustees

Charlene Cheromiah  
Rachel Young

**APPENDIX C (continued)**  
**LAGUNA VILLAGE LEADERS**

**Mesita**

**Council Representatives**

Wil Herrera, Jr.  
Wilbur Lockwood

**Village Mayordomos**

Sabin Chavez  
John Kayate

**Village Towncriers**

Wesley Fernando  
Santiago Weeker  
Nathan Lucero, Jr.  
Christopher Lucero  
Phillip Fernando

**Village Treasurer**

Pete Kasero, Jr.

**Encinal**

**Council Representatives**

Tina Granger  
Andrew DeLoris

**Village Mayordomos**

Everett Poncho  
Ryan Yawe  
Jarvis Aragon

**Village Treasurer**

Lucianne Riley

**War Captains (for Tribe)**

Jonathan Day  
Raymond Cheromiah  
Edward Bautista, Jr.

**Paguete**

**Council Representatives**

Marvin Trujillo, Jr.  
Francis Bautista, Jr.

**Village Mayordomos**

Victor Day  
Mike Martin  
Mike Williams  
Damon Clark

**Village Towncriers**

Loren Maria, Jr.  
Elton Day

**Village Treasurer**

Camille Whitmore

**Village Trustees**

Sue Perea  
Nadine Kowice

## **APPENDIX D**

### **State Officials**

#### **Governor**

Susana Martinez  
490 Old Santa Fe Trail, Rm 400  
Santa Fe NM 87501  
505.576.2200

#### **Senate**

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#### **House**

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**APPENDIX E**  
**Federal Elected Officials**

**Senators**

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Washington DC 20510  
202.224.5521

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Albuquerque NM 87102  
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[bingaman.senate@gov/contact](mailto:bingaman.senate@gov/contact)

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Albuquerque NM 87102  
505.346.6791  
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**Representatives**

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Steve Pearce 2<sup>nd</sup> District  
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Ben Luján 3<sup>rd</sup> District  
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Santa Fe NM 87505  
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[lujan@house.gov](mailto:lujan@house.gov)

**APPENDIX F**  
**Potentially Responsible Parties**

Atlantic Richfield (ARCO)

## **APPENDIX G Media Contacts**

### **Newspaper**

Kukadze'eta Towncrier  
P. O. Box 685  
Laguna NM 87026  
505.552.6652

Grants County Beacon  
523 W Santa Fe Ave  
Grants NM 87020  
505.287.4411

### **Radio Stations**

KKOB (770 AM)

KLYT (88.3 FM)

KKIM (1000 AM)

KKOB-FM (93.3 FM)

KXKS (1190 AM)

KPEK (100.3 FM)

KANM (1600 AM)

KTZO (103.3 FM)

### **TV Stations**

K33GA (Channel 33) (U N M)

KOB (Channel 4)

Grants NM 87020

KOAT (Channel 7)

K09EP (Channel 9)

FOX (Channel 12)

Grants NM 87020

FRQE (Channel 13)

K11EV (Channel 11)

Grants NM 87020

K06CU (Channel 6)

Grants NM 87202



## **APPENDIX H**

### **Meeting Locations**

Each village has a community center in which a community meeting could be held. This can be arranged after consultation with the Staff Officer for each village (see page 26 of this Community Involvement Plan).

## **APPENDIX I**

### **Repository Locations**

Pueblo of Laguna  
Environmental and Natural Resources Department  
P. O. Box 194  
Laguna NM 87026

Barbara Cywinska-Bernacik, Environmental Manager  
  
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New Mexico State University at Grants  
Campus Library  
1500 Third St  
Grants NM 87020

Cecilia Stafford, Director of Library Services  
  
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**APPENDIX J**  
**Hospital**

Acoma-Cañoncito-Laguna Indian Hospital (ACL)  
I-40 W Exit 102  
P. O. Box 130  
San Fidel NM 87049  
  
505.552.6634

## **APPENDIX K Schools**

Pueblo of Laguna Department of Education  
P. O. Box 207  
Laguna NM 87026

505.552.6008

(Physical Address:)

Pueblo of Laguna Department of Education  
I-40 West, Exit 114  
Building #1125  
Laguna NM 87026

Dr. Anthony Fairbanks, Superintendent

Laguna-Acoma Jr-Sr High School  
P.O. Box 689  
Casa Blanca NM 87007

(Grants-Cibola Public Schools)

505.552.6683

Laguna Middle School

(BIA School) Laguna Agency, BIA  
P. O. Box 1448  
Laguna NM 87026  
505.552.6001  
Arthur Blazer

505.552.9200

Laguna Middle School

(BIA School)

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Laguna Head Start

(Administered by Laguna DOE)

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## Appendix L Other Agencies

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Rio Puerco Field Office  
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